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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/572,615

03/17/2006

Frank Uittenbogaard

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SONG, DAEHO D

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,615	Applicant(s) UITTENBOGAARD, FRANK	
	Examiner DAEHO D. SONG	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the initial Office Action based on the application number 10572615, filed March 17, 2006. Claims 1-9, as originally filed, are currently pending and have been considered below. Claims 1 and 7 are the independent claims.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 7 and 8 are rejected because the claimed invention is directed to non-statutory subject matter. Claim 7 recites a “*system*” comprising software components as indicated in the Specification on page 7, lines 22-23. Thus, the “*system*” recited in Claim 7 is software *per se*. That is, the “*system*” recited in Claim 7 lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. Also, the “*system*” recited in Claim 7 is clearly not a series of steps or acts to be a process nor is it a combination of chemical compounds to be a composition of matter. As such, it fails to fall within a statutory category.

Claim 8 depends upon Claim 7, and merely recite additional features of the software modules.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being **clearly** anticipated by Chu et al. (hereinafter Chu): US Patent Application Pub. No. 2004/0239683.

Chu **expressly** teaches:

Claim 1. Method for navigating through a displayed hierarchical data structure including a parent node and a plurality of child nodes the method comprising:

displaying the parent node at a parent position, displaying each of the plurality of child nodes at a respective child node position ([0041]: displaying the parent node and the child nodes in a hierarchical data structure);

assigning a parent relevance grade to the parent node and assigning a respective relevance grade to each of the plurality of child nodes ([0039]-[0041]: assigning a parent relevance grade to the parent node and a respective relevance grade to each of child nodes);

navigating through the displayed hierarchical data structure ([0034]: navigating through the hierarchical data structure);

hiding, upon navigation through the displayed hierarchical data structure, a child node of the plurality of child nodes, based upon the respective relevance grade of child node ([0044]: collapsing/hiding a child node with respect to the relevance grade of child node); and

displaying a reference node at a reference node position in stead of displaying the hidden child node, wherein the reference node position is related to the child node position (([0060]: displaying an ellipsis/a reference node whose position is related to the child node position).

Claim 2. A method according to claim 1, the method comprising: selecting the reference node; and displaying the child node at the child node position in stead of displaying the reference node, upon selecting the reference node ([0060]: selecting the reference node and displaying the child node by means of expand operation).

Claim 3. A method according to claim 1, wherein navigating through the displayed hierarchical data structure and hiding the child node are in opposite directions ([0043]: navigating the hierarchical data structure and hiding the child node are in opposite direction).

Claim 4. A method according to claim 1, wherein the relevance grade depends upon at least one of: a number of child nodes of the parent node, a selected child node or a selected parent node ([0044]-[0046]: the relevance grade depends upon a number of

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child nodes).

Claim 5. A method according to claim 1, wherein the relevance grade comprises an ordering and hiding the child node depends upon this ordering ([0044]-[0045]: the relevance grade comprising an ordering and hiding the child node depends upon this ordering).

Claim 6. A method according to claim 1, wherein the displayed reference node reflects a number of child nodes, of the plurality of child nodes, which are hidden ([0044]-[0045] [0060]: the reference node reflecting a number of child nodes that have been hidden).

Claims 7 and 8:

The subject matter recited in Claims 7 and 8 corresponds to the subject matter recited in Claims 1 and 2, respectively. Thus Chu discloses every limitation of Claims 7 and 8, as indicated in the above rejections for Claims 1 and 2.

Claim 9. Computer readable medium having stored thereon instructions for causing one or more processing units to perform the method according to claim 1 ([0029]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ku et al.: U.S. Patent No. 6,462,762
Glass et al.: U.S. Patent No. 6,341,280
Kotchey: U.S. Patent No. 5,812,135

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D. S./
Examiner, Art Unit 2176

/William L. Bashore/
William L. Bashore
Primary Examiner
Tech Center 2100